

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

APR 28 1995

BARBARA A. EVERLY, CLERK

In re:

CHAPTER 7
Case No.

ROGER WILLIAM BAUER
DIANE EDITH BAUER,
Debtors

Bankruptcy No. 94-11554KC

HAWKEYE BANK OF CEDAR RAPIDS
Plaintiff

Adversary No. 94-1178KC

v.

ROGER WILLIAM BAUER
DIANE EDITH BAUER,
Defendants

JUDGMENT

This proceeding having come on for trial or hearing before the court, the Honorable Paul J. Kilburg, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

IT IS ORDERED AND ADJUDGED that the obligation owing by Defendants/Debtors to Plaintiff Hawkeye Bank of Cedar Rapids is determined to be nondischargeable pursuant to 11 U.S.C. § 523 (a)(2).

IT IS FURTHER ORDERED that judgment is entered in favor of the Plaintiff and against Defendants/Debtors Roger William Bauer and Diane Edith Bauer in the amount of \$5,000.



[Seal of the U.S. Bankruptcy Court]
Date of Issuance: 4.28.95

BARBARA A. EVERLY
Clerk of Bankruptcy Court

By: *Therese M. Goley*
Deputy Clerk

Recorded: Vol. V

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

APR 28 1995

IN RE:)	
)	Chapter 7
ROGER WILLIAM BAUER)	
DIANE EDITH BAUER,)	
Debtors.)	Bankruptcy No. 94-11554KC

HAWKEYE BANK OF CEDAR RAPIDS,)	
)	Adversary No. 94-1178KC
Plaintiff,)	
)	
vs.)	
)	
ROGER WILLIAM BAUER)	
DIANE EDITH BAUER,)	
)	
Defendants.)	

ORDER

On April 25, 1995, the above-captioned matter came on for trial pursuant to assignment. Plaintiff appeared by Attorney Rick Boresi. Defendants appeared with Attorney Walter Homsey, Jr.


The matter before the Court is a complaint to determine dischargeability of a debt pursuant to 11 U.S.C. § 523(a)(2)(A). The parties do not dispute that the obligation in question relates to the sale of a 1987 Pontiac Trans Am automobile in which Plaintiff Bank had a security interest. The only issue for the Court's determination is value.

The Court considered the evidence and dictated its findings and conclusions into the record. The Court found that the obligation is nondischargeable under 11 U.S.C. § 523(a)(2) and that the value of the automobile in question is \$5,000.

WHEREFORE, pursuant to the record made, the obligation owing by Defendants/Debtors to Plaintiff Hawkeye Bank of Cedar Rapids is determined to be nondischargeable pursuant to 11 U.S.C. § 523(a)(2).

FURTHER, judgment is entered in favor of the Plaintiff and against Defendants Roger William Bauer and Diane Edith Bauer in the amount of \$5,000.

SO ORDERED this 27 day of April, 1995.


Paul J. Kilburg
U.S. Bankruptcy Judge

Notice sent to: (w/ Judgment)

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Walter Homsey Jr.
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4.28.95
me